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Fred D Lang

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PTO/SB/21 (03-03)

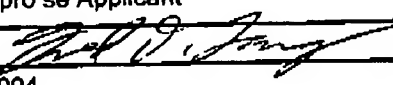
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/715,319	
	Filing Date	Nov. 17, 2003	
	First Named Inventor	Fred D. Lang	
	Art Unit	(not known)	
	Examiner Name	(not known)	
Total Number of Pages in This Submission	3	Attorney Docket Number	11700

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply Pages 2 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks  This amendment rescinds a non-publication request made at the time Application 10/715,319 was originally filed. A "Filing Receipt" has not yet been received.  PLEASE ROUTE APPROPRIATELY.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Fred D. Lang, pro se Applicant
Signature	
Date	February 9, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO, at 703-872-9306, for business with the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this date:			
		Feb. 9, 2004	
Typed or printed	Fred D. Lang	Date	Feb. 9, 2004
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231

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FEB 12 2004

Appl. 10/715,319

Docket 11700

**OFFICIAL****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In regards	Application of Fred D. Lang	)	GAU: (not known)
Serial No.	10/715,319	)	Examiner:
Filing Date	November 17, 2003	)	(not known)
Title:	METHOD FOR DETECTING HEAT	)	
	EXCHANGER TUBE FAILURES AND	)	
	THEIR LOCATION WHEN USING	)	
	INPUT/LOSS PERFORMANCE	)	Date of Amendment:
	MONITORING OF A RECOVERY BOILER	)	February 9, 2004

Commissioner for Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This document submits an AMENDMENT to the original filing of Application Serial No. 10/715,319. I have not yet received the "Filing Receipt", and thus am unaware of the Group Art Unit.

**AMENDMENT TO APPLICATION FILING**

When Application Serial No. 10/715,319 was originally filed, I submitted with those documents a "Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)" (PTO/SB/35) as it was my intention not file in a foreign country.

**I hereby rescind the nonpublication request of Application 10/715,319 as allowed under 35 U.S.C. 122(b)(2)(B)(ii). As such, this Application should be published under 35 U.S.C. 122(b)(1)(A). Further, it is herein requested that this publication occur as soon as possible, not waiting for the 18 month period.**

Docket 11700

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Appl. 10/715,319

Although I have not filed this application in any foreign country, I now desire to file in Canada after your acknowledgment and approval of this rescinding.

Further, to correct a minor issue, I noticed that the title of the invention appearing on the Nonpublication Request form, as submitted, was not correct. The title on this form reads:

“Method for Determining Tube Failures and Their Location When  
Using Input/Loss Performance Monitoring of a Recovery Boiler”;

the correct title is indicated on all other submitted forms, in the application proper, and in the salutation to this letter.

This amendment is respectfully submitted by the *pro se* Applicant and the Inventor, Fred D. Lang, and the Assignee, Exergetic Systems, LLC as represented by the *pro se* Applicant, Fred D. Lang, he being the President of Exergetic Systems, LLC.

Thank you for considering this amendment. Should you have any questions please call me at any time at 415-455-0100.

Sincerely,



Fred D. Lang,

*pro se* Applicant, and Inventor  
of Application 10/715,319.

USPTO Customer No. 40088.

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